bp





Stephen A. K. Palmer

Managing Attorney, HSSE BP Legal Western Region Downstream BP America Inc. 6 Centerpointe Drive, LRP 6-547 La Palma, CA 90623 Direct: 714-228-6515 Facsimile: 714-228-6570

E-mail: palmerSA@bp.com

November 10, 2005

VIA OVERNIGHT MAIL

Linda Mangrum U.S. Environmental Protection Agency Remedial Enforcement Support 77 W. Jackson Blvd., SR-6J Chicago, IL 60604-3590

Re: Residential Portion of the USS Lead Site, 5300 Kennedy Avenue, East
Chicago, Indiana - Supplemental Response to EPA 104(e) Request for
Information

Dear Madame:

On October 31, 2005, the Atlantic Richfield Company ("ARC") responded to the United States Environmental Protection Agency's August 15, 2005 Request for Information regarding the USS Lead Site located in East Chicago, Indiana. ARC is providing herein copies of documents, bates numbered BPL000000113, and BPL000000176 – BPL000000200, which are responsive to Questions Nos. 8 and 10 (#113) and Questions Nos. 7 and 8 (176-200). These documents supplement ARC's October 31 response. ARC is also providing the Statement requested in No. 9 of the Instructions, which was inadvertently omitted from ARC's previous response. Please be advised that this supplemental response is subject to the General Objections stated in ARC's October 31, 2005 letter.

ARC reserves the right to further supplement its response in the event it discovers additional documents in the future.

Very truly yours,

Stephen A. Palmer

Enclosures

Cc: Cindy Kezos (w/encl.)

DECLARATION

ATLANTIC RICHFIELD COMPANY'S RESPONSE TO EPA'S 104(E) REQUEST FOR INFORMATION FOR RESIDENTIAL PORTION OF USS LEAD SITE EAST CHICAGO, INDIANA

I certify under penalty of law that Atlantic Richfield Company's October 31, 2005 response to EPA's 104(e) Request for Information, dated August 15, 2005, for the residential portion of the USS Lead Site in East Chicago, Indiana and all enclosures to the response were prepared under my supervision. Atlantic Richfield Company made a diligent search for information responsive to the Request, and subject to the limits of the search process and the information discovered therein, I declare that I am informed and believe that the information in our October 31, 2005 response is true, accurate and complete.

Stephen A. K. Palmer

Managing Attorney - HSSE

SDMS US EPA Region V

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45 OF DECEMBER 31, 1938

PNYC00007C06

DETERMATICAL SELTING AND HEYDITING COMPANY

Corporate Name -

International Smalting and Refining Company (Charter issued in name of International Smalting Company, title themped as of December 21, 1954.)

Date Incorporated -

May 18, 1914.

Under Laws of State of- Montana.

Authori sed Isened

Charter -

40 years (Expiring May 12, 1964).

Capital Stock -

Per Velue Shares . 200,000 \$75.00 165,000 75.00 Held in Treasury - Home. \$75.00

Amoun's \$15,000,000.00 18,242,500.00

Debentures -

15 year - 0% - 0m December 15, 1949. Anthorized - \$10,000,000.00. Insued - 8,000,000.00° *(Meld by Amescade Copper Mixing Company).

Transfer Agent -

Company.

Begistrer -

Stock Listing -

Annual Mosting -

Piret Monday in May at Hennessy Building, Butte, Montana.

Monthly Mosting -

Pourth Tassley of each nouth at 25 Breakway, New York, N. Y.

DETERMATIONAL SHELTING AND HEFTETING COMPANY

Officers -

President

Cornelius F. Kelley

Vice-President

Prederick Laist

Secretary and Treasurer

E. O. Sowerwine

Assistant Secretary

D. M. Kelly

Assistant Secretary

F. I. Stalte

Assistant Socretary and Assistant Treasurer

W. H. Orehl

Resident Agent (Noveda)

E. U. Curtle, First Mational Bidg., Klim, Mevada.

Directore -

Robert E. Deyer

D. B. Hennessy

J. R. Hobbins

Comelius F. Kelley

. Frederick Laist

I. O. Sourreine

Fillian Freith

(Expiration of term - May, 1940.)

DISERVATIONAL SHELTING AND REVINTING COMPANY

Managers -

Copper Befinery Perth Amboy, N. J. L. W. Kemp
Lead Refinery East Chicago, Ind. G. E. Johnson
Copper Smelter Inspiration, Aris. T. H. O'Brien
Tooele Copper à Lead Smelters Salt Lake, Utah J. O. Elton
Mid-West District Chicago, Ill.
20 No. Wasker Drive

Offices -

Corporate Office - Hennessy Building, Butte, Montena

Executive Office - 25 Broadway, New York, N. Y.

Business Offices - Nest Chicago, Indiana

Selt Lake City, Utah Imapiration, Arimona

Porth Amboy, Now Jersey

Chicago, Illinois

INTERNATIONAL SMELTING AND REPTATION COMPANY

Location of Properties -

Porth Amboy (Middlesex County) New Jersey

Refinery Department Secondary Metals Department Electro-Sheet Department

East Chicago (Lake County) Indiana

Load Refinery Department Zine Oxide Department White Load Department

Akrem (Semmit County) Chie Zine Oride Department:

Decele (Tocale County) Utak Smalters Department

Inspiration (Otla County) Missi, Arisma Sunitors Department

PNYEGCOC7010

DESCRIPTIONAL SECUTION AND REPLICION COMPANY

States in which extherized by License to do business -

Ari some

Colorado

Indiana

Mos tens

Iovada

New Jersey

Obio

Viet

as of May 19, 1959.

PNYC000C7011

Passed at Oct. 27 193

INTERNATIONAL SHELTING AND REFINING COMPANY DIRECTORS RESOLUTION

The Chairman stated that the next business to come before the meeting was a proposal to dissolve Anaconda Lead Products Company, a wholly-owned subsidiary of the Company, liquidate its affairs and distribute and transfer all of its assets and property to its stockholders, in complete cancellation or redemption of all of its capital stock.

After discussion, and on motion duly made and seconded, the following preambles and resolution were unanimously adopted:

WHEREAS, this Company is the owner of all the outstanding espital stock of Anaconda Lead Products Company, a Delaware corporation; and

WHEREAS, in the opinion of this Board of Directors it is advisable to dissolve said Anaconda Lead Products Company, distribute all of its assets to its stockholders and liquidate its affairs:

HOW, THRREFORE, BE IT RESOLVED that the proper officers of this Company be and they hereby are authorised and directed to take such action on behalf of this Company as owner of all the outstanding capital stock of Anacomia Load Freducts Company as may be necessary or required under the laws of the State of Delaware to dissolve said Anacomia Load Freducts Company, liquidate its affairs and distribute and transfer all of its assets and property to this Company in complete cancellation or redemption of all the stock of said Anacomia Load Freducts Company.

MEMORANDUM

Mr. E. O. Sowerwine:

Herewith is offer to sell and transfer stock of Anaconda Lead Products Company to International Smelting and Refining Company.

This offer was approved at the last meeting of the Board of Directors of Anaconda Copper Mining Company. A Special Meeting of the directors of the Smelting Company should be called for the purpose of acting upon this offer.

ROBERT E. DWYER

RED:EM.

9/28/36

ANACONDA COPPER MINING COMPANY

25 BROADWAY

NEW YORK September 28, 1936.

International Smelting and Refining Company, 25 Broadway, New York, N. Y.

Gentlemen:

The undersigned, Anaconda Copper Mining Company, is the owner of all the outstanding stock of Anaconda Lead Products Company, consisting of 13,650 shares of the par value of \$50 per share. Attached hereto is a balance sheet of said Anaconda Lead Products Company as of August 31, 1936, which correctly sets forth all of the assets and liabilities of said Company as of said date. Since the date of said balance sheet there have been no changes in said assets and liabilities except in the normal and ordinary course of business, and the net worth of said Company as shown on said balance sheet is substantially the same as the date hereof.

The undersigned hereby offers to sell and transfer to you the said 13,650 shares of the stock of said Anaconda Lead Products Company in exchange for 13,500 shares of your fully-paid and non-assessable capital stock of the par value of \$75 per share.

Delivery of said shares of stock of Anaconda Lead Products Company shall be made by the undersigned against the delivery to the undersigned of duly and validly issued certificates representing the aforesaid 13,500 fully-paid and non-assessable shares of capital stock of your Company of the par value of \$75 each.

If this offer is acceptable to you, kindly indicate your acceptance hereof by affixing your signature in the space provided on the duplicate copy of this letter enclosed herewith and return the same to the undersigned.

Very truly yours,

ANACONDA COPPER MINING COMPANY,

By

APPROVED AND ACCEPTED: INTERNATIONAL SMELTING AND REFINING COMPANY,

Frederick Forcet.

Vice President.

ANACONDA LEAD PRODUCTS COMPANY

BALANCE SHEET AS OF AUGUST 31ST 1936

ASSETS

CASE		\$ 1,839.55
ACCOUNTS AND HOTES RECEIVABLE: Customers - Hotes Receivable Customers - Accounts Receivable Other Accounts Receivable	\$ 4.500.00 117,908.17 	124,785.18
LETALS AND MANUFACTURED PRODUCTS: Finished Goods Lead Anodes	\$245,072.50 9,566.74	
Freight on Consigned Stock	14,354.00	268,993.24
IN PROCESS		11,399.81
SUPPLIES		35,821.05
INDESTEDNESS OF CONSOLIDATED SUBSIDIARIES		319,143.63
BUILDINGS, MACHINERY, ETC.		669,746.93
PREPAID INSURANCE		3,099.60
		\$ <u>1,434,832.99</u>
LIABILITIES		
ACCOUNTS PATABLE Accounts Payable - Trade Social Security Tax	\$ 17,483.59 367.45	\$ 17,851.04
ACCOUNTS PAYABLE Accounts Payable - Trade		\$ 17,851.04 13,279.25
ACCOUNTS PAYABLE Accounts Payable - Trade Social Security Tax		• •
ACCOUNTS PAYABLE Accounts Payable - Trade Social Security Tax ACCRUED TAXES		13,279.25
ACCOUNTS PATABLE Accounts Payable - Trade Social Security Tax ACCRUED TAXES RESERVE FOR DEPRECIATION		13,279.25
ACCOUNTS PAYABLE Accounts Payable - Trade Social Security Tax ACCRUED TAXES RESERVE FOR DEPRECIATION INDEBTEDNESS TO CONSOLIDATED SUBSIDIARIES		13,279.25 356,791.92 33,626.35
ACCOUNTS PATABLE Accounts Payable - Trade Social Security Tax ACCRUED TAKES RESERVE FOR DEPRECIATION INDESTEDNESS TO CONSOLIDATED SUBSIDIARIES INDESTEDNESS TO UNCONSOLIDATED SUBSIDIARIES ACCRUED LIABILITIES:		13,279.25 356,791.92 33,826.35 15.20
ACCOUNTS PATABLE Accounts Payable - Trade Social Security Tax ACCRUED TAXES RESERVE FOR DEPRECIATION INDESTEDNESS TO CONSOLIDATED SUBSIDIARIES INDESTEDNESS TO UNCONSOLIDATED SUBSIDIARIES ACCRUED LIABILITIES: Workmen's Compensation Insurance		13,279.25 356,791.92 33,626.35 15.20

ANACONDA LEAD PRODUCTS COMPANY

BALLOT

For Against } the adoption of the following Resolutions:

**RESOLVED, that the stockholders of ANACONDA LEAD PRODUCTS COMPANY do hereby consent that a dissolution of the Corporation shall take place, and do hereby authorize, empower and direct the proper officers of this Corporation to execute any and all documents and to cause such action to be taken as may be necessary to effect the dissolution of the Corporation in accordance with the provisions of the General Corporation Law of the State of Delaware, and further

RESOLVED, that said officers be and they hereby are authorized and directed to liquidate the Corporation and to distribute and transfer all the assets and property of the Corporation to its stockholders in complete cancellation or redemption of all its stock upon surrender of the certificates representing said stock.

Name of Stockholder

Proxy

No. of Shares

International Smelting and Refining Company

13,650

Chaconan Colution de Canacherra

The Chairman stated that there are outstanding 13,650 shares of stock of Anaconda Lead Froducts Company of the par value of \$50 per share, all of which are owned by this Company; that said Anaconda Lead Products Company owns and operates a plant for the production of white lead in East Chicago, Indiana, located on land leased from International Smelting and Refining Company; and he proposed that the stock of said Anaconda Lead Products Company be sold to International Smelting and Refining Company, a wholly-owned subsidiary, for 13,500 shares of the stock of said International Smelting and Refining Company with a total par value of \$1,012,500. There was presented to the meeting a balance sheet of Anaconda Lead Products Company as of August 31, 1936.

On motion duly made and seconded, the following resolution was unanimously adopted:

RESCLVED, that this Company sell and transfer to International Smelting and Refining Company 13,650 shares of the stock of Anaconda Lead Products Company, being the entire issue, in exchange for 13,600 full-paid and non-assessable shares of the stock of International Smalting and Refining Company having a total par value of \$1,012,500.

Draft of Minutes for Meeting of Board of Directors of INTERNATIONAL SMELTING AND REFINING COMPANY to be held Thursday,
October 1, 1936.

The Chairman presented to the meeting a written offer dated September 28, 1936, from Anaconda Copper Mining Company wherein said Anaconda Copper Mining Company offered to transfer to this Corporation 13,650 shares of the capital stock of the par value of \$50 per share of Anaconda Lead Products Company, a Delaware corporation, (being all the issued and outstanding stock of said Company) in consideration of the issuance to said Anaconda Copper Mining Company of 13,500 full-paid and non-assessable shares of the capital stock of this corporation of the par value of \$75 per share. There were submitted to the meeting a balance sheet of Anaconda Lead Products Company as of August 31, 1936, and an earnings statement for the years 1933, 1934 and 1935, and the eight months ended August 31, 1936.

On motion duly made and seconded, the following resolution was unanimously adopted:

WHEREAS, this corporation deems it advisable to acquire all the outstanding shares of capital stock of Anaconda Lead Products Company, a corporation organized and existing under the laws of the State of Delaware, consisting of 13,650 shares of the par value of \$50 per share, and this Board is of the opinion that said shares of stock have a fair value of not less than \$1,012,500;

NOW, THEREFORE, be it

RESOLVED, that the offer of Anaconda Copper Mining Company, dated September 28, 1936, in the form submitted to the meeting, to transfer to this corporation 13,650 shares of the capital stock of the par value of \$50 each of Anaconda Lead Products Company, a Delaware corporation, (being all of the issued and outstanding shares of stock of said Company) in consideration of the issuance to said Anaconda Copper Mining Company by this corporation of 13,500 shares of its full-paid and non-assessable capital stock of the par value of \$75 each, be and the same hereby is approved and accepted, and the proper officers of this corporation be and they hereby are authorized and directed to accept said offer under the seal of this corporation and to give written notice of said acceptance to said Anaconda Copper Mining Company in such form as said officers in their discretion may deem advisable, and further

RESOLVED, that the proper officers of this corporation be and they hereby are authorized, empowered and directed to execute under the seal of this corporation a certificate or certificates representing 13,500 shares of the full-paid and non-assessable capital stock of this corporation of the par value of \$75 each, issued in the name of Anaconda Copper Mining Company, and to deliver the same to said Anaconda Copper Mining Company against delivery to this corporation of certificates duly endorsed representing 13,650 shares of the capital stock of the par value of \$50 each of said Anaconda Lead Products Company, and to do any and all other acts and things which may be necessary or required to be done to carry out the terms, covenants and agreements in the above mentioned offer dated September 28, 1936, and the intent and purpose of the foregoing resolution; and further

RESOLVED, that upon the issuance and delivery of said certificates for capital stock of this corporation as provided in the foregoing resolution, said 13,500 shares of capital stock of this corporation of the par value of \$75 each, shall be full-paid and non-assessable.

CHADBOURNE, STANCHFIELD & LEVY 25 BROADWAY, NEW YORE

September 8, 1936.

Mr. D. B. Hennessy, Ansconda Lead Products Company, 25 Broadway, New York, N. Y.

Dear Sir:

Enclosed please find the following:

 Certified copy of Certificate of Reduction of Capital of Anaconda Lead Products Company;

2. Certified copy of Certificate of Amendment of Certificate of Incorporation of the same Company.

Both of these certificates were filed in the office of the Secretary of State of Delaware on September 1, 1936, and recorded in the office of the Recorder of Hewcastle County,

Delaware, on the same date. The reduction of capital and amendment of the Certificate of Incorporation became effective September 1, 1936.

This will also confirm delivery to you today of the minutes of a special meeting of the Board of Directors held August 28, 1936, and minutes of a special meeting of stockholders held the same day.

Kindly acknowledge receipt.

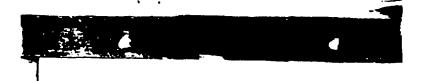
Enclosures

Certified Cory

CENTIFICATE OF REDUCTION OF CAPITAL

. ABACONDA LEAD PRODUCTS CORPABY

BPL000000191



CERTIFICALE OF PERCENTIN OF CAPITAL

ASACAMDA LEAD PROTOC. TO COMPANY, a componention organized and existing under the General Componential Law of the State of Delaware, DOES ANNEX CERTIFY as follows:

- (1) That at a meeting of the Beard of Directors of Anaecaca Leed Freducts Company duly held and convened, a resolution was accepted setting forth a proposed reduction of the capital of said comporation in the manner and to the extent bereinsfter set forth and calling a meeting of stockholders for the consideration thereof.
- (2) That at a mosting of the stocknelders of said Company hald upon written valver of notice thly vigned by the helders of all the isreed and outstanding capital stock in accordance with the provisions of Section 50 of the General Corporation Law, as amended, on the 28th day of Angust, A. B. 1936, in the City of See York, State of New York, at three-thirty elelock in the afternoon, for the purpose of voting upon the question of reducing its capital to the extent hereinafter set out, a resolution was duly adopted reducing the capital of said corporation by the amount of \$662,500 by reducing (in conjunction with appropriate action under doction 26 of the General Corporation Law, as amended) the per value of each share of the 13,650 issued and outstanding charms of stock of the corporation from \$100 per share to \$50 per share.
- (3) That the assets of the corporation remaining after such reduction are sufficient to pay any debts, the payment of which has not been otherwise provided for.

IN MITTERS WHERIOF, SAIN ANACONDA LEAD PROCECTS

PNYC00006688

Alekson Sandalanda Kara II.

TENNICULE DE L'INCHES DE L'ANDRES DE L'AND

COLFINY has caused its corporate seat to be affixed and this certificate to be signed by Robert &. Cayer, its President, and D. &. Hommesey, its Secretary, this older for of surest, 1986.

HOBERT E. CWYET

D. B. JEHNESSY

Legratary

ARACOSDA LEAD PRODUCTS COMPANY CORPORATE SEAL 1919 DELAMARE

STATE OF MET TOME }

AR IT REMEMBERED that on this 31st day of August, A. D. 1786, personally came before so, a Sotary Public in and for the County and State aforesaid, Robert E. Deyer, President of AMACONDA LEAD PRODUCTS COMPARY, a corporation of the State of Delaware, the corporation described in and which executed the foregoing cortificate, known to so personally to be such, and he, the said Robert E. Deyer, Prefident, duly executed said cortificate before so and asknowledged the said cortificate to be his set and deed and the act and deed of said corporation; that the signatures of the said foregoing cortificate are in the handwriting of the said President and Socretary of said corporation; and that the seal affined to said corporate is the common or corporate seal of said corporation.

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If sitting support, I have become set my hand and seal of office the day and year eferencial.

EDWARD MATO

Carl Nation (18 %) Carl Nation (18 %)

CORRES COMMENTS. N.T.



Malter Bent Smith, Acretary of State of the State of Letaurit. In hereby certify that the above and forgoing is a true and correct copy of Certificate of Reduction of Capital of the "AMACONDA LEAD PRODUCTS COMPANY", as received and filed in this office the first day of September, A. D. 1936, at 11 o'clock A.M.

In Crestimony Therrol I thorobonunks set my hand and official scalat Diverthis 12 ret day of September in the year of continued and the reg-est.

PNYC00006691 .

CERTIFICATE OF AMERICANS OF A MERICANS OF CENTIFICATE OF INCORPORATION -- of -

CERTIFICATE OF AMERICAN

e£

CERTIFICATE OF LECORPORATION

ARACONDA LEAD PROIDCES COMPART, a composition organized and existing under each by virtue of the General Composition Lew of the State of Delaware, LOES HEREST CERTIFIE

FIRST: That at a meeting of the Board of Directors of smid incomes boad freducts Company duly sold and convened, a resolution was duly a optod setting forth; an assaument proposed to the Certificate of Encorporation as follows:

RESULTED, that the Cortificate of Incorporation of this Corporation, as amended, be further annoted by striking out all of paragraph Thurshis thereof and inserting in lies thereof the followings

**TOURTH: The total number of shares of steek union the corporation small have entherity to issue is Fifteen thousand (15,000), all of vaich shares shall have the par value of fifty Dellars (550) each. Each share of steek of the par value of the hundred Dellars (\$100) per chare hereto are issued is hereby changed into a share of steek of the par value of Fifty Dellars (\$50).*

and declaring said amendment advise to and colling a mosting of the stockholders of said corporation for considera-

SECOND. That thereafter, pursuant to the effersair resolution of its Board of Directors, a meeting of the stootholders of soic corporation was duly held upon written univer of motion duly signed by the helt ers of all the issued and outstanding empiral stock as provided in Section 80 of the General Corporation Law, at which meeting the necessary number of stockholders as required by statute veted in fever of the anemdment.

CONTRACTOR OF THE CONTRACTOR

OF THE CONTRACTOR OF THE CONTRACTOR

TRIBLE That said reminent we duly conted in second res with the provisions of Section of which denvers former tion Les of Delvers as remind.

put he reduced under or by respon of 5:14 trenterns.

IN WITHOUT TREFEST, and ARACTROA LEAD PRODUCTS COMPART has encount its comments and to be becomen a effect and this certificate to be stand by School E. Dopper, its Desident, and D. S. Hennesse, its Correlance, this list day of Furnet, 1916.

(MINISTER)

Cath D. B. AEMESSY

Beareter

ABACOUDA LEAD PRODUCTS COMPANY CORPORATE SEAL 1919 DELLEMAR.

100 TO THE TRANS. | 1 Co. | 1

28 TT ATM 255-D that on this 31st day of Aminet, A. C. 1984, reprobably eras before to, a Baracy mette in and for the County and State afareself, forcer 4. Dates, generates of ABACCROA Land Tecorotic Courses, . our or tion of the Stare of Delaware, the corner-lim spection in and which process the forevoine sectificate enous to me assumptly to be such, and to, the said Robert &. Doype, to such Provident, fully executed anid cartificate letter as and astmosfedged the seld cartificate to be ble set had deed out the met and deed of which norrepeting that the distributes of the seld Tessident od of the topretory of sold corneration to the said forestime equificate one is the hesistess of the said Procident and Secretary of sail Comment reseastively, and that the sent affirst to still contificate is the common or comprete part of till engeneration, and that his set of sealing, aresucing, asknowledging and delivering the said continues . wer stally estherized by the Board of Directors and stockwelders of said corporation.

IN SITTLES SECRET, I have becomes set or hand to and seal of affice the day and year aforestid.

Edward Mayo

3400 3400

EDVARD MATO HOTARY PUBLIC QUEENS COUNTY, M.Y.

PNYC0C006695



Halter Bunt Smith, Keretary of State of the State of Letaure. In hereby certify that the above and foregoing is a true and correct copy of Corrections of Amendment of the "AMACONDA LEAD PRODUCTS COMPANY", as received and filed in this office the first day of Sentenber, A. D. 1936, at 11 o'clock A.M.

In Irstimony Whetrol, I homehowento set mykond and officialisation of September in the year flows bord con thousand nine hundred and there-ex.

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